

RESOLUTION NO. 2009-37

AUTHORIZING CONTRACT NO. 2009-038 WITH TRANSTECH OF S.C., INC. TO FURNISH THIRTEEN (13) HRV PANTOGRAPH ASSEMBLIES AT A TOTAL PRICE NOT TO EXCEED \$198,393.00 (RTA DEVELOPMENT FUND, RAIL DISTRICT DEPARTMENT BUDGET)

WHEREAS, the Authority has a need for HRV Pantograph assemblies for the Tokyu rail fleet; and

WHEREAS, the offer of TransTech of S.C., Inc. of 709 Augusta Arbor Way, Piedmont, SC 29673 for the furnishing of thirteen (13) assemblies for use on the Authority's revenue vehicles was received on April 16, 2009; and

WHEREAS, after negotiations, TransTech of S.C., Inc., agreed to furnish thirteen (13) pantograph assemblies at a total price of \$198,393.00, and

WHEREAS, Section 306.43(H)(2) of the Ohio Revised Code provides that competitive bidding is not required when a regional transit authority, after reasonable inquiry, determines that only one source of supply is reasonably available; and

WHEREAS, TransTech of S.C., Inc., is the only known source available to furnish the OEM pantograph assemblies for the HRV fleet; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of TransTech of S.C., Inc., as negotiated, to be fair and reasonable and recommends acceptance thereof by the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the offer of TransTech of S.C., Inc., as negotiated, for the furnishing of thirteen (13) pantograph assemblies is hereby accepted.

Section 2. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with TransTech of S.C., Inc., for the furnishing of thirteen (13) pantograph assemblies, as specified.

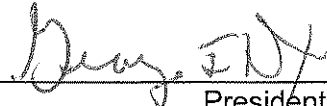
Section 3. That said contract shall be payable from the RTA Development Fund, Rail District Department budget, including but not limited to ARRA Capital Grant OH-96-X027 at a total price of \$198,393.00 (100% Federal Stimulus funds). The award of this contract is based on initially using available 100% Local funds, which will be replaced by FTA funds under the American Recovery and Reinvestment Act (ARRA) of 2009.

Section 4. That said contract shall be binding upon and an obligation of the Authority, compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2009-023; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that TransTech of S.C., Inc. will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: May 19, 2009

  
\_\_\_\_\_  
President

Attest:   
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

<b>TITLE/DESCRIPTION:</b> <b>CONTRACT: THIRTEEN (13) PANTOGRAPH ASSEMBLIES FOR THE TOKYU HRV FLEET</b>  <b>VENDOR: TRANSTECH OF S.C., Inc.</b>  <b>AMOUNT: \$198,393.00 (\$15,261.00 EACH)</b>	<b>Resolution No.:</b> 2009-37
	<b>Date:</b> May 14, 2009
	<b>Initiator: Rail District Department</b>
<b>ACTION REQUEST:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review / Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a contract for the furnishing of thirteen (13) pantograph assemblies used on the HRV Tokyu rail fleet.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The thirteen (13) pantograph assemblies will be used to replace failed units. The old units will be retained and stripped of any usable parts. These units have been in service for over twenty years and are at the end of their service life without a major overhaul.
- 3.0 **PROCUREMENT BACKGROUND:** A market survey was conducted to identify potential sources that could furnish this type of pantograph. TransTech of S.C., Inc. the OEM is the only known source for this approved and authorized part.

Ohio Revised Code Section 306.43(H)(2) allows for award of a sole source contract based upon a determination by the Board of Trustees, an officer or an employee of the Authority that there is only one source reasonably available for these items. After negotiations, the offer of TransTech of S. C., Inc. to furnish thirteen (13) pantograph units was accepted as most advantageous to the Authority at a unit price of \$15,261.00 for a total contract price not to exceed \$198,393.00.

A price analysis was performed and the Procurement Department has determined the negotiated offer to be fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 0% DBE Goal was established for this procurement due to the lack of Certified DBE firms.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** This procurement will be funded through the RTA Development Fund, Rail District Department budget, including but not limited to ARRA Capital Grant OH-96-X027, Line item 12.15.21 at a total price not to exceed \$198,393.00 (100% Federal Stimulus Funds). The negotiated price is 4% above the amount paid in 2006. The award of this contract is based on initially using available 100% Local funds, which will be replaced by FTA funds under the American Recovery and Reinvestment Act (ARRA) of 2009.

- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would delay the procurement of the necessary replacement worn pantographs for the continuance during the HRV midlife overhaul.
- 8.0 RECOMMENDATION: It is recommended that the offer as negotiated of TransTech of S.C., Inc. be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to enter into a contract.
- 9.0 ATTACHMENTS: None.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



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CEO, General Manager/Secretary-Treasurer